the textwriters. 1 UNDERHILL, THE LAW OF LANDLORD AND TENANT, 481; TIFFANY, LANDLORD AND TENANT, § 90, quoting *Smith* v. *Faxon*, 156 Mass. 589. Just why the relation existing between the parties should result in a forfeiture of the protection owing from one neighbor to another is difficult to analyze logically, and practically no light is thrown on the question in the reported cases. It would seem then that the decision in the principal case based as it is upon dictum unsupported by case or text citation, makes so startling a departure in the hitherto established responsibility of landholders that the vigorous dissent of Coleridge appears amply justified both by logic and in the light of precedent.

NUISANCE—UNDERTAKING ESTABLISHMENTS.—Defendant proposed to transfer his undertaking business, including a morgue, to a building immediately adjoining the plaintiff's residence in a residential section of the city. Defendant had always conducted his business in a sanitary manner and in accordance with the rules of the state board of health. In decreeing an injunction against the establishment of the business in the residential section, *held*, although an undertaking business is not a nuisance *per se*, its location in a residential district would constitute a nuisance. *Saier, et al.* v. *Joy*, (Mich., 1917), 164 N. W. 507.

An interesting feature of the instant case is that an undertaking business, although properly conducted, is deemed a nuisance in a residential district solely because it would serve the persons living nearby as a constant reminder of death and consequently would cause them mental depression. The instant case follows *Densmore* v. *Evergreen Camp No. 147, W. O. W.*, 61 Wash. 230. On the same principle the court in *Barth* v. *Christian Psychopathic Hospital Association*, (Mich., 1917), 163 N. W. 62, enjoined the maintenance of a private insane asylum in a residential district, although on similar facts, an injunction was refused in *Heaton* v. *Packer*, 116 N. Y. Supp. 46. The maintenance in a residential district of a private hospital for consumptives was enjoined in *Everett* v. *Paschall*, 61 Wash. 47, and of one for victims of cancer in *Stotler* v. *Rochelle*, 83 Kans. 86, the court in each case holding such an institution became a nuisance, if located in a residential district, because it created a fear of infection causing mental unrest, although, in the light of medical science, such fear is probably unfounded. A hospital, in a residential district, for crippled children was held not a nuisance "though undoubtedly pain and distress will sometimes be caused by the sight of suffering to those living nearby." *Hall* v. *House of St. Giles the Cripple*, 91 N. Y. Misc. Rep. 122, (affirmed in 158 N. Y. S. 1117). A cemetery or burial ground in a residential section is not a nuisance which can be enjoined. *Sutton* v. *Findlay Cemetery Ass'n*, 270 Ill. 11; *Monk* v. *Packard*, 71 Me. 309; *Harper* v. *City of Nashville*, 136 Ga. 141.

SEAMEN—WHO ARE SEAMEN—WIRELESS TELEGRAPH OPERATOR.—A wireless telegraph operator who was required to sign ships articles at a stated wage of twenty-five cents per month, and who was classed as an officer and messed with them, sued for failure to furnish him medical care. *Held*, to be a sea-